

REMARKS

Claims 1-5 and 11-22 are pending and at issue in the application with claims 1, 21 and 22 being the independent claims. Claims 1, 21 and 22 have been amended. As a result, 3 independent claims remain in the application as previously paid for, and 17 total claims remain in the application as previously paid for. This response is being timely filed with a Request for Continued Examination, one-month extension of time and the requisite small entity fee of \$465.00. The applicant believes no additional fee is due. However, the commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 13-2855. Reconsideration and withdrawal of the rejections in view of the amendments above and the remarks below is respectfully requested.

Claims 1-5 and 11-22 were rejected under 35 U.S.C. § 103 as unpatentable over Giroux et al. (U.S. Pat. No. 6,782,003) in view of Greenspan et al. (U.S. Pat. No. 6,850,484). The applicant respectfully traverses the rejections in light of the above amendments.

Independent claims 1, 21 and 22 have been amended, such that each of claims 1-5 and 11-22 recite a method, apparatus or computer program product for transferring users' e-mail accounts from a source server to a destination server. Each user email account has associated log on details. When the user logs of to one of the email accounts using the associated log on details via the destination server for the first time, the associated log on details entered by the user are collected, and the transfer of the user's mail folder and its contents from the source server to the destination server is initiated.

By allowing the user to log on to an existing email account via the destination server using the same, existing log on details associated with that email account as previously used with the source server, there is no requirement to set up new log on details for each email account for each user. It is these existing log on details that the destination server automatically collects and subsequently uses to accomplish the transfer the user's email folder and contents from the original source server. The overall result is that the transfer of the user's e-mail account is transparent to the user, since they continue to use their existing log on details.

The applicant respectfully submits that none of claims 1-5 or 11-22 are rendered unpatentable over Giroux et al. in view of Greenspan et al., because neither Giroux et al. nor Greenspan et al. disclose automatically collecting log on details entered by the user and initiating the transfer of the user's mail folder and its contents from the source server to the destination server, when the user logs on to the email account via the destination server for the first time using the associated log on details of the email account as used with the source server.

In particular, column 10, lines 44-50 of Giroux et al. (cited in the action as corresponding to the recited automatic collection of information entered by the user at log on when the user logs on for the first time at the destination server), does not disclose the above-referenced feature. Instead, this passage of Giroux et al. refers to the operation of the system *after* the initial transfer of the email account has been accomplished, not when the user logs on to the destination server for the first time. Indeed, Giroux et al. specifically recites in column 10, lines 44-47 of the above-cited passage that:

... *following the completion of the transfer*, the system can periodically and automatically log in to the old Email account, check for any new Email, and send or transfer a copy of the new account. (Emphasis added).

The initial transfer itself requires a user to firstly request transfer of an e-mail account and to subsequently provide information concerning the e-mail account in response to a specific prompt or query. Giroux et al. specifically requests information from the user including "the end user's corresponding account identification and password," as well as any other relevant information, in order to initiate the transfer after the user has logged on to the destination server. (See column 5, lines 51-67; Fig. 4a). This at least implies, if not provides an explicit disclosure, that the initial log on via the new destination server is done using *different* log on details to those associated with the existing e-mail address. Logically, if the user had logged on to the destination server using the old log on details, there would be no subsequent requirement to provide the log on details corresponding to the old e-mail account. In contrast, the claimed method and apparatus allows a user to log on to the new destination server using existing log on details associated with an email account, the destination server being arranged to automatically collect these log on details and to then use them to access the associated mail folder and contents from the original source server.

Likewise, while Greenspan et al. discloses redirecting and managing messaging and information access in a network (see Abstract), Greenspan et al. does not disclose allowing a user to log on to the new destination server using existing log on details associated with an e-mail account, the destination server being arranged to automatically collect these log on details and to then use them to access the associated mail folder and contents from the original source server. In particular, while Greenspan et al. discloses a server (stream manager) that acts as a gateway for a group of destination site servers, the server only determines the availability of a destination server to receive and process a message. (See e.g., Abstract).

Accordingly, the combination of Giroux et al. and Greenspan et al. does not disclose or suggest all of the limitations of claims 1-5 and 11-22. It is clear that in order for a claim to be rendered unpatentable, all the claim limitations must be taught or suggested by the prior art.” *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). See also MPEP 2143.03.

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims and allowance thereof are respectfully requested. Should the examiner wish to discuss the foregoing, or any matter of form, in an effort to advance this application towards allowance, the examiner is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

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